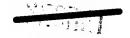
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OGC 64-1197a **OGC Has Reviewed** 

MEMORANDUM FOR: Special Support Assistant to the Deputy Director (Support)

SUBJECT:

Authorization for Leave and Travel in Case of Interrupted Home Leave

1. Inia is in re	spense to your reques	st for legal advice	
involving the above pro	blem, the facts of whi	ch are not fouth in	
mamorandum from the	A stime Chief III -	ch are set torth in a	
memorandum from the	Acting Chief, Wester	n Hemisphere Division,	
to the Assistant Deputy	Director for Plans, o	lated 27 April 1964.	
entitled: "Authorization	n for Temporary Duty	Travel for Mr. Joseph	
The fact.	s are that Mr.	completed a tour of	25X1A9a
duty in a	and returned to this co	ountry on home leave	
in August 1963. However	er, after only four day	vs at his home leave	
point, due to operations	l circumstances requ	iring his presence.	
he returned to his Static	on. You advise also t	hat Mr	25X1A9a
femily stayed on in this	countries fam a language		
family stayed on in this	country for a longer	period and then joined	
	. It is now int	ended to transfer Mr.	25X1A6a
1	he Division desires to	return him to HO for	25X1A6a
a short period of tempo	rary duty and to perm	it home leave for him	
with his family prior to	his proceeding to his	new nost	125X1A6a

2. The statute which provides for home leave, namely, the Annual and Sick Leave Act of 1951, as amended by the Overseas Differentials and Allowances Act, authorizes the granting of home leave upon completion of 24 months' continuous service outside the United States. In regulations implementing that provision the Civil Service has prescribed that home leave may be granted an employee upon completion of the prescribed period or within a reasonable time after his return to the United States. The Civil Service further provides that home leave not granted at such time may be granted only when the employee has completed a "further substantial period of service abroad" and the further period of service abroad is to be

25X1A9a 25X1A6a

25X1A9a 25X1A9a

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"not less than the tour of duty prescribed for the employee's post of assignment, except when the agency determines that an earlier grant	
of home leave is warranted in an individual case" (Federal Personnel Manual, Subchapter 56, subparagraph 7a). Similar provision is included subparagraph 4b(2). By the Western	
Hemasphire Division memorandum of 27 April, that Division has determined that an earlier grant is warranted in this case.	FOIAb
determined that an earlier grant is warranted in this case.	
	257
	25X
	25X

Associate General Counsel

25X1A9a

Attachment:

25X1A

25X1A

25X1A9a

27 Apr 64 Memo fr Acting C/WH to ADD/P

cc: Chief, WH w/o att